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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/954,634	09/12/2001	James D. Pustejovsky	019497-000610US	6875
20350	7590	03/02/2005	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			COBY, FRANTZ	
			ART UNIT	PAPER NUMBER
			2161	
DATE MAILED: 03/02/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/954,634

Applicant(s)

PUSTEJOVSKY ET AL.

Examiner

Frantz Coby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12-10-01&05-06-02</u> | 6) <input type="checkbox"/> Other: _____ |

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This is in response to application filed on September 12, 2001 in which claims 1-16 are presented for examination.

Status of Claims

Claims 1-16 are pending.

Information Disclosure Statement

The information disclosure statements filed on December 10, 2001 and on May 06, 2002 are in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. They have been placed in the application file and the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1—2, 4-6, 8-10 AND 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cochran U.S. Patent no. 5,995,979 in view of Wasilewski U.S. Patent no. 6,374,275.

As per claim 1, Cochran discloses a method for managing the presentation of search terms on a computer terminal (See Cochran Abstract). The method of Cochran comprising “displaying an electronic page from a plurality of pages on the display; the electronic page being a complete or portion of one of the plurality of pages” (See Cochran Abstract; Figure 2, component 12); “selecting a term on the electronic page for which a query is to be performed” (See Cochran Abstract; Figure 2, component 18) and “displaying a portion of or all of the additional information about the term” (See Cochran Abstract; Figure 2, component 36; See Cochran Figures 3a-3d; Col. 4, lines 44-59; Col. 10, line 43-Col. 12, line 16).

It is noted, however, Cochran did not specifically detail the claimed feature of “a method for querying information based upon a publication on a portable electronic display, the display comprising a micro-processing device coupled to memory, the display also comprising a display for outputting a portion or portions of the publication” and “querying the plurality of pages to uncover additional information about the term” as recited on the instant claim 1. On the other hand, Wasilewski achieved the

aforementioned claimed feature by providing a hand-held portable computer with a pick-list menu (Figure 12) including a display of search screen (Figure 11; See Wasilewski Col. 2, line 10-50; Col. 4, line 60-Col. 6, line 43). As to "querying the plurality of pages to uncover additional information about the term" Wasilewski achieved this claimed limitations by searching for associated terms, either terms relating to previously selected search terms or terms associated with those terms on a page (See Wasilewski Figure5; Col. 4, line 66-Col. 5, line 19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modified the Cochran's system wherein the searching mechanism provided thereof would have incorporated the hand-held portable computer and the display of search screen of Wasilewski. The motivation being, to provide a user with a searchable and an easy and intelligent field population scheme (See Wasilewski Col. 2, lines 49-51); and to enhance browsing and searching of the Internet for a keyboard-less user (See Wasilewski Abstract).

As per claim 2, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Wasilewski discloses the claimed feature of "wherein the plurality of pages define a document selected from a text book, a technical book, a tutorial, a fiction story, or a non- fiction story" (See Wasilewski Col. 4, lines 44-59). The Applicant should duly note that HTTP, FTP and Gopher sites could generate pages that define documents related to textbook, a technical book, a tutorial, a fiction story, or a non- fiction story. Therefore the claimed feature of "wherein the plurality of

pages define a document selected from a text book, a technical book, a tutorial, a fiction story, or a non-fiction story” is clearly met by Wasilewski.

As per claim 4, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Wasilewski discloses the claimed feature of “wherein the electronic page comprises tags to annotate the electronic page” through the subject of the applications such as Internet Explorer, which primarily includes the capability of providing tags to annotate the electronic page (See Wasilewski Col. 4, lines 44-59).

As per claims 5-6, most of the limitations of these claims have been noted in the rejection of claim 1 above. In addition, Wasilewski discloses the claimed features of “wherein the querying comprising identifying a tag directed to the additional information and displaying a content associated with the tag on the display”; and “wherein the querying comprises searching for a tag and content related to the additional information” through the Internet Explorer since this application includes the capabilities of identifying tags; displaying content associated to tags; as well as searching for tags (See Wasilewski Col. 4, lines 44-59).

As per claim 8, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Wasilewski disclose the claimed feature of “wherein the querying comprises using a look up table for identifying the additional

information” as constructed pick lists of terms that are searched for desired terms (Figure 5, Col. 4, line 60-Col. 5, line 38).

As per claim 9, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Cochran discloses the claimed feature of “wherein the additional information comprises a time line of events of a character or feature through the plurality of pages” (See Cochran Figure 3b; Col. 10, line 66-Col. 11, line 16).

As per claim 10, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Wasilewski discloses the claimed feature of “wherein the additional information comprises one or more relations of the term” as associated terms displayed in the pick list (See Wasilewski Figure 5, component 504)

As per claims 12-13 and 15, most of the limitations of these claims have been noted in the rejection of claim 1 above. In addition, both Cochran and Wasilewski disclose the claimed feature of “ wherein the querying searches data in the memory” (See Cochran Figure 1 components 717) which are memory space storing the terms queried by the apparatus and method of Cochran. Also, Wasilewski provides a smart card as a memory for storing pick lists that is queried by the system and method of Wasilewski (See Wasilewski Col. 8, lines 49-57; Also See Wasilewski Col. 4, lines 30-43). As per to the claimed feature of “wherein the selecting is provided by a touch

screen element coupled to the display"; "wherein the selecting is provided by a pen computing interface coupled to the display" Wasilewski discloses the aforementioned claimed feature through different input devices (See Wasilewski Col. 3, lines 46-54).

As per claim 14, most of the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Wasilewski discloses the claimed feature of "wherein the selecting is provided by a key-pad coupled to the display" as selection keys and an enter key (See Wasilewski Figure 12 components 1207, 1208; Col. 8, lines 40-48).

As per claim 16, all the limitations of this claim have been noted in the rejection of claim 1. It is therefore rejected as set forth above.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cochran U.S. Patent no. 5,995,979 in view of Wasilewski U.S. Patent no. 6,374,275 and further in view of Strzalkowski et al. "Natural Language Information retrieval in digital libraries", 1996 ACM, pages 117-125.

As per claim 7, most of the limitations of this claim have been noted in the rejection of claim 1. Applicant's attention is directed to the rejection of claim 1.

It is noted, however, neither Cochran nor Wasilewski specifically detail the claimed feature of "wherein the querying comprises entering a natural language logic form for

the query” as recited in the instant claim 7. On the other hand, Strzalkowski et al. provide an information retrieval system including a methodology for entering a natural language logic form for a query as a natural language information retrieval in digital libraries that is further described in pages 117-125.

It would have been obvious to one of ordinary skill in the art at the time of the invention to further modified the combination of Cochran and Wasilewski as detailed in the rejection of claim 1 above by incorporating the teachings of advanced natural language processing into, both, Cochran’s and Wasilewski’s searching mechanism. The motivation being to enhance the effectiveness of term-based document retrieval (See Strzalkowski et al. Abstract).

Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cochran U.S. Patent no. 5,995,979 in view of Wasilewski U.S. Patent no. 6,374,275 and further in view of Whitham U.S. Patent no. 6,728,681.

As per claims 3 and 11, most of the limitations of these claims have been noted in the rejection of claim 1. Applicant’s attention is directed to the rejection of claim 1.

It is noted, however, neither Cochran nor Wasilewski specifically detail the claimed feature of “ wherein the electronic page comprises XML annotation” and “wherein the display and the plurality of pages define an electronic book” by providing an interactive multimedia book using natural language query (See Whitham Abstract), and XML technology (See Whitham Col. 1, line 65-Col. 3, line 15).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to further modified the combination of Cochran and Wasilewski as detailed in the rejection of claim 1 above by incorporating the teachings of advanced natural language processing using xml technology into, both, Cochran's and Wasilewski's searching mechanism. The motivation being, to make interactive multimedia book readily available to a wider audience; thereby providing a book which provides the user with instruction in a safe and effective manner in a variety of environments (See Whitham Col. 1, lines 65-67).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Saturday 3:00PM-10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571 272 4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Frantz Goby
Primary Examiner
Art Unit 2161

February 15, 2005